

March 11, 2006

Mr. Derick Berlage
Chairman, Montgomery County Planning Commission
8787 Georgia Avenue
Silver Spring, MD 20910

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OFFICE OF THE CHAIRMAN
THE MARYLAND NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

Re: Crown Farm Development and Annexation discussion on March 16th agenda

Dear Mr. Berlage,

The following are comments for the record concerning the proposed development of the Crown Farm parcel near Washingtonian Center and its proposed annexation into the City of Gaithersburg.

These proposals are set for preliminary discussion by the Montgomery County Planning Board on March 16th.

My interest in this development arises as a resident who is concerned about the density at which we have allowed development to move forward in this area of the city—in neighborhoods such as Kentlands, Lakelands, and my own, Quince Orchard Park.

Although I am not opposed to development per se, given the pressures we face from growth, I would like to see a more deliberate process as we consider how Crown Farm should be developed.

Perhaps the central issue for the County review is whether the development as currently proposed calls for a density that is comparable to what would be allowed under county zoning.

Although the city admits that the increase in commercial density (from 50,000 to 350,000+) represents a "substantial change" that the county must review, I am more concerned about the unit count (I think we see the benefits in having retail near where people live, so that expansion makes sense).

What has made the equation more difficult to balance is the donation of 30 acres of this parcel as a high school site. Although we can recognize the need for school sites and the generosity of that donation, it also means that we're now trying to put density comparable to the maximum the county would allow on much less space.

The table below compares the total area (182 acres) less land for schools and parks in both scenarios. The current county master plan (1990 update) calls for an elementary school (10 acres) and 10 acres of parks, whereas in the latest city version we have a high school (30 acres) and 5 acres of parks. You can see that the gross unit count per acre (based on the city estimate of 2200 units, which includes county zoning plus MPDUs and TDRs) rises from 13.5 units per acre to 15.1.

Total Acres	Zoning	Net Less School/Park	Density @ 2200 units (2000+MPDU+TDR)
182	County	$182-(10)-(10)=20 = 162$	13.5 units per acre
182	City	$182-(30)-(05)=35 = 145$	15.1 units per acre

My point is that we have to look very closely at the density comparison and really understand the impact of taking that space out of the equation.

Here are some other brief points I would make about the city's staff analysis:

- I think city staff underplays the concerns some city council members expressed about density at the city's last public hearing. At that time, both city staff and council members agreed that the

original maximum proposed by Crown Farm developers (2550 units) was too high, but I still feel this summary doesn't reflect the fact that many council members view the county unit level as a maximum—but that we should also look at less. In fact, Gaithersburg Mayor Katz said that density ought to be "as low as possible" while keeping the project economically viable for the developer. That number may be lower than 2200.

- This summary also does not mention concerns mentioned by one council member (with which I agree) about the location of the commercial space, which in the current proposal is on the western side of the parcel—not in the central, most densely developed core.
- Open space is a significant concern to me and although concerns have been expressed by the council and the public about a lack of open space in recent developments, this one only calls for five acres of parkland, five less than the ten contemplated by county plans. Again, contribution of open space is complicated by the amount of land that is being donated for the high school, but we should not have to trade off one for the other. We have to provide enough open space for these developments to breathe.

Also, it seems that in the summary of "Recommended Montgomery County Zoning" (page 11) may convey the idea that county planners contemplated a "density of 22 to 25 units per acre" for the Crown Farm site.

I believe what this paragraph means to say is that a 22-25 level could be obtained by applying planned development zoning to only the R-60 portion of the parcel (about 94 acres). While that density seems high even for a portion of the land, I am concerned that the way this is written, some might think the county had endorsed that level for the entire parcel.

Lastly, I would make the following observations about transit and traffic issues. (page 14)

Like any large development, traffic will be one of the major impacts of Crown Farm. This impact is likely to be greater than originally contemplated by county planners due to the expansion of retail in the parcel, and by the high school, which probably generates more trips than would an elementary school.

The city acknowledges much more needs to be known about the traffic impacts but this summary seems to understate what remains to be learned. I do not believe, for instance, that county staff has had a chance to review the developer's traffic study.

This is an area that will require scrutiny, especially given the significant changes the developer is proposing for the Corridor Cities Transitway. The plan calls for changing the alignment as it crosses Crown Farm and for reducing the number of stations from two to one.

While these changes seem to make sense and to have support from the state, it will require that CCT impact studies be recalibrated. That could be a substantial undertaking, especially with respect to how the transit center will be laid out. For a development that purports to be "transit centered," having more knowledge about these issues is crucial for moving forward.

I should also mention that with a long-term county study underway of Sam Eig highway, it would be prudent to integrate changes made for Crown Farm with the future structure of this highway.

In summary, my main concerns are:

--Overall density and whether we can properly match previous county density levels on a parcel that is much smaller, due to the land donation.

--Availability of usable open space (more than just neighborhood "pocket parks")

-The general rapidity with which this is moving forward with many issues, such as traffic and transit, not fully studied.

Sincerely,

William Burke
216 Winter Walk Drive
Gaithersburg, Maryland
Phone: 301-963-0678

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**LINOWES
AND BLOCHER LLP**
ATTORNEYS AT LAW

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MAR 15 2006

OFFICE OF THE CHAIRMAN
THE MARYLAND NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

March 15, 2006

Barbara A. Sears
301.961.5157
bscars@linowes-law.com

Mr. Derick P. Berlage, Chairman
and Members of the
Montgomery County Planning Board
8787 Georgia Avenue
Silver Spring, MD 20910-3760

Re: Annexation Petition X-182 - the Crown Property ("Property") for March 16, 2006
Planning Board Agenda - Item #6

Dear Chairman Berlage and Members of the Planning Board:

On behalf of Crown Village Farm, LLC ("Petitioner"), owner and Petitioner for the above-referenced annexation, the purpose of this letter is to provide responses to the Staff Report on the annexation which is dated March 10, 2006. In an effort to concisely respond to the several issues raised, we have attached for your review a summary of the major issues raised in the Staff Report and our responses.

In particular, we would like to highlight that, pursuant to the State annexation law, Petitioner and the City may limit the density otherwise allowed in the zone in which the Property will be placed by the City through an annexation agreement. The City and Petitioner have agreed that, once the Property is placed in the MXD Zone by the City, the density on the Property will be limited to 2,250 dwelling units and 300,000 square feet of retail/commercial space with an additional 20,000 square feet of retail/commercial space at the transit station. Although this represents an increase in the retail/commercial density recommended in the 1990 Shady Grove Study Area Master Plan, the additional square footage may be approved pursuant to State law at the time of annexation with the consent of the County Council. It is further noted that both the participants of the Charrette held on the Property last September and Planning Board Staff have indicated that additional commercial density on the Property is warranted.

Therefore, with the above limitations, the MXD zoning proposed fully complies with the residential density recommendations of the 1990 Shady Grove Study Area Master Plan and the additional retail/commercial square footage proposed is appropriate and may be lawfully approved by the County Council as part of the annexation process. Further, the annexation

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Mr. Derick P. Berlage, Chairman
and Members of the
Montgomery County Planning Board
March 15, 2006
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agreement will specify the density limitations, discussed above, that are allowed in the MXD zone for the Property to ensure these limits are abided by in the future.

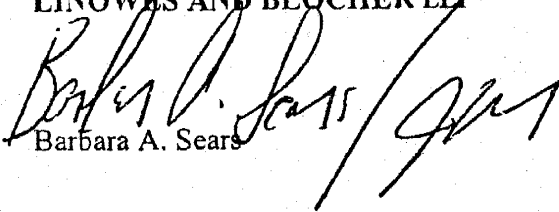
Finally, we would like to stress that the Petitioner has agreed to make a voluntary donation of 30 acres for a high school site. To our knowledge, we know of no other donation of a high school site having been made in Montgomery County. As confirmed by Bruce Crispell of the Montgomery County Public Schools at the City of Gaithersburg March 13, 2006, worksession on the annexation, the proposed development of the Property does not generate the need for a high school, middle school or elementary school site. However, Mr. Crispell stated that the ability to secure a high school site at this time is an important opportunity for the County's future planning needs. In this regard, he emphasized that the mid-County area, especially as a result of the newly adopted recommendations of the Shady Grove Sector Plan, will require additional high school capacity in the future. As noted in the attachment, the City and Petitioner have met on several occasions with representatives of the MCPS to discuss the sizing and layout of the site.

It is hoped that the information contained in this letter, including the attached summary responses, will assist the Board to clarify the issues raised by the Technical Staff Report and the Board will recommend approval of the annexation with the Gaithersburg Staff recommendations as set forth in its memorandum to the Montgomery County Planning Board dated March 6, 2006.

Thank you for your attention to this matter.

Very truly yours,

LINOWES AND BLOCHER LLP


Barbara A. Sears

Enclosure

cc: Mr. Steve Coniglio

CROWN PROPERTY

SUMMARY OF 3/10/06 MONTGOMERY COUNTY PLANNING BOARD STAFF REPORT WITH RESPONSES

1. GENERAL REVIEW ISSUES

- **Timeframe for review:** Staff does not believe it has enough time to review the annexation for mid-April action; wants to see draft annexation agreements.
 - **Response:** Annexation timing and procedure is dictated by time periods provided in State law. The City has fully complied with these timing requirements.
 - **Response:**
 - Charrette held September 22-25, 2005 (meetings with Planning Board Chairman and Staff held prior to Charrette; Staff attended Charrette)
 - October 10, 2005 – Presentation of Charrette results to Mayor and Council
 - November 14, 2005 – Annexation Petition and supporting materials filed
 - January 12, 2006 – City sent request and materials to Chairman for formal review
 - King Farm annexation accomplished in less time. Annexation Agreement was not provided by Owner as part of the review.
- **County review of Annexation Agreement:** Staff wants the Planning Board and County to have ability to review Annexation Agreement and any future amendments to the agreement.
 - **Response:** Agreement is between Owner and City. Basic agreement terms are being recommended in City Staff Report:
 - Land uses and density limits
 - Affordable housing element
 - High school site donation
 - Local park dedication
 - Off-site roadway improvements
 - Dedication of CCT right-of-way and accommodation of CCT parking
 - Funding and operation of a shuttle service to Metro
 - Phasing
 - Preservation of historic farm house and log tenant house
 - Contribution for regional recreation amenities
 - **Response:** Staff requests are primarily to obtain development details for the application of County regulations. These detailed evaluations will be undertaken

under Gaithersburg laws and regulations later in the development process if annexation takes place.

2. STATE ANNEXATION LAW COMPLIANCE ISSUES

- **“Substantially different”**: Staff believes that proposed City MXD Zone is substantially different from the zoning recommendations of the County Master Plan and, therefore, annexation and zoning need consent of County Council.
 - **Response**: The City and Owner have agreed to limit the number of residential units to 2,250 which is permitted under the recommendations of the 1990 Shady Grove Area Master Plan. Staff’s density analysis of 919 residential units considered density from only the 94.2 acres zoned R-60/TDR-8 and not the 83.7 acres recommended for PD-20-25 units per acre. Commercial density has been limited to 300,000 square feet with an additional 20,000 square feet around the transit station. City and Owner have agreed to take annexation to County Council because of additional retail/ commercial square footage proposed. Difference is not a problem under State law if Council consents to annexation.
- **Creation of an “enclave”**: Staff believes an unincorporated area bounded on all sides by property within the City will be created.
 - The proposed property boundaries for annexation was carefully determined so as to not create an unincorporated area bounded on all sides by property within City limits in compliance with State annexation law. This was achieved by excepting a portion of land from the property along the south side of Fields Road at the northeastern portion of the Property keeping a necessary connection with County property and not creating an enclave.
- **Outline for the extension of public services**: Staff does not believe this requirement has been fully met, as document prepared by the City does not sufficiently outline or detail staging and financing information.
 - **Response**: The City prepared and circulated an outline for the extension of public services to the appropriate agencies. This outline was consistent with what the City has prepared in previous annexation cases and complies with the express requirements of State annexation law.

3. TRANSPORTATION

- **CCT**: Staff sees no problems with one-station instead of two, provided space and parking requirements are met and notes that alignment shifts need to undergo DEIS analysis.

- Response: The City and Owner have worked extensively with the Maryland Transit Administration (MTA). The Owner has agreed to dedicate the on-site right-of-way for the CCT and accommodate parking.
- **Master Plan roadways:** Staff notes County master planned extension of Diamondback Drive to Fields Road as an arterial roadway and the provision of a future grade-separated interchange at Sam Eig Highway and Fields Road.
 - The Owner has agreed to extend Diamondback Drive to Fields Road. Regarding the possible future grade-separated interchange at Sam Eig Highway and Fields Road, note that the Master Plan shows this as illustrative only and no steps have been taken by the County to implement this improvement. The City carefully studied this concept, along with County representatives, as part of annexation X-181 on the west side of Sam Eig Highway and determined that other at-grade options to accommodate traffic conditions would be appropriate.
- **Traffic study concerns:** Staff states that traffic study it reviewed would not qualify as an acceptable LATR study due to scope, background and calculation elements. Staff cites other issues with traffic study, including timing of review issues.
 - Response: A letter dated October 24, 2005 for the background traffic for the study was obtained from M-NCPPC. The study used the background traffic required by the M-NCPPC. The City added an additional 1.25 million square feet of background traffic to this amount. The study evaluates 29 intersections.
- **Greater Shady Grove TMD:** Staff notes that Crown Property is included in proposed TMD, for which action in implementing is expected from the County Council this spring and that Crown Property should be included in this TMD.
 - Response: It has been agreed that a TMD agreement will be required to include a shuttle service similar to King Farm.

4. SCHOOL

- **Size of useable area:** Staff states that only 22.5 of 30 acres proposed to be dedicated are useable when 7.5-acre forested area is considered and that this is not enough useable land.
 - Response: The City and Owner believe 30 acres is suitable and have met several times with MCPS to discuss and will continue to do so.

5. ENVIRONMENTAL

- **Forest Conservation law:** Staff states that per County forest conservation law, 15% of the site, or 26.7 acres, needs to be forested and with only 7.5 acres currently in forest, 19.2 additional acres need to be planted. Staff notes that sketch plan does not indicate whether unforested portions of stream buffer will be planted, but states that assuming it is, site is 11 acres short of afforestation threshold.
 - **Response:** Upon annexation, development of the Property would be subject to City environmental review. Petitioners have obtained an approved NRI/FSD from the City and will continue to work with City staff on all environmental issues, including forest conservation. All Forest Conservation requirements of the City will be satisfied post-annexation during the development process. This will address reforestation, conservation easements and similar environmental requirements.
- **Stormwater management and noise mitigation requirements:** Staff believes development should comply with County stormwater management requirements, environmental guidelines and noise study.
 - **Response:** These reviews will all occur under the Gaithersburg development process when subdivision and site plans are submitted.

6. PARKS/ RECREATION

- **Local park with fields:** Staff identifies need for active recreational amenities in this area and wants provision of a local park with two large rectangular fields, parking and a playground.
 - **Response:** The Owner has agreed to dedicate a park to the City. The Owner has also agreed to donate a 30-acre high school site. In addition, there will be comprehensive recreational facilities and open space amenities throughout the project to fully serve the community. Finally, a substantial contribution to regional recreation amenities has been requested by the City.

7. HISTORIC STRUCTURES

- **Preservation:** Staff believes City should provide for historic preservation of farm structures in Annexation Agreement, including restoration and reuse of historic structures and adequate environmental setting.
 - **Response:** City and Owner have agreed to preserve and restore the farm house and log tenant house.

8. CITY MASTER PLAN/MAXIMUM EXPANSION LIMITS

- **MELs:** Staff includes map from 1997 City Master Plan showing that Crown Property is not in City's MELs, but notes that it is identified as a Special Study Area in the 2003 City Master Plan.
 - **Response:** There is no requirement that the Property be part of the 1997 MELs, as long as all applicable requirements of State annexation law and procedure are met.

9. COUNTY MASTER PLAN

- **Amount of retail square footage:** Staff states that in revisiting the recommendations of the 1990 Shady Grove Study Area Master Plan, 50,000 square feet of commercial space was too low. An analysis is attached to the Staff Report which concludes that approximately 150,000 square feet is the appropriate amount of retail space.
 - **Response:** The City and Petitioners agree that the original amount of commercial square footage recommended by the County Master Plan is too low for this location and too low for the amount of recommended residential development. This opinion was shared by those participating in the Charrette, who requested that commercial space include a grocery store and other unique retail opportunities. The revised Sketch Plan presented to the City on March 13, 2006 set 300,000 square feet as the maximum commercial square footage along with a small amount (20,000 square feet) allowable as part of the high-rises by the transit station.

10. TDRs

- **Use of TDRs:** Staff states that western portion (94.2 acres) of Crown Property is intended as a TDR receiving area and that the City should require use of TDRs via the Annexation Agreement. Staff notes that TDRs are required to achieve "TDR density" above the zone base density and calculates that 282 TDRs would be required, or 212 assuming 50% multi-family unit mix on the western portion.
 - **Response:** Upon annexation, the Property will be placed in a City zoning classification and will be subject to the City development approval and regulatory process. The City does not currently have a TDR program. However, the City will ensure that maximum public benefits, as determined by the City, are achieved.

11. MPDUs

- **Provision of MPDUs:**

- Response: City does not currently have an affordable housing requirement. City and developer have agreed to a 12.5% requirement for affordable housing.

TO: MONTGOMERY COUNTY PLANNING BOARD

**RE: ANNEXATION OF THE CROWN FARM BY THE CITY OF
GAITHERSBURG**

DATE: March 16, 2006

The Crown Farm is expected to provide various public benefits if developed in accord with the Shady Grove West master plan in Montgomery County. It is only reasonable that it should be expected to provide as minimum the same public benefits if developed in the City of Gaithersburg.

One of the most important public benefits is affordable housing. It is essential to the quality of life any where in our society and it is in critical short supply here in Montgomery County. The annexation agreement must stipulate that the developer will provide the full share of MPDUs ranging from 12.5% to 15% depending upon the density of housing in the final plan. Any workforce housing provided should be in addition to the MPDUs.

I understand the developer is offering 30 Acres for a high school site. There should be no trading of the school site for MPDUs, since both would be provided if the project develops in the County. Furthermore the time period for enforcement of the affordability of the MPDUs should be the same as the County.

The County Council must approve any changes to the zoning and land use for a property that is annexed. If the County Council does not approve the change in land use, development under a new zone will be delayed for five years. I ask the Planning Board to recommend the Council deny the zoning change unless the plan for development in Gaithersburg and the annexation agreement includes the full complement of affordable housing, including the MPDUs, as well as the other public benefits expected through development in the County.

THOMAS H COWLEY



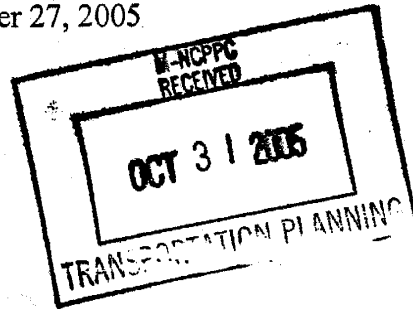
MARYLAND TRANSIT ADMINISTRATION

MARYLAND DEPARTMENT OF TRANSPORTATION

Robert L. Ehrlich, Jr., Governor • Michael S. Steele, Lt. Governor • Robert L. Flanagan, Secretary • Lisa L. Dickerson, Administrator

October 27, 2005

Mr. David B. Humpton
City Manager
City of Gaithersburg
31 South Summit Avenue
Gaithersburg, Maryland 20877



Dear Mr. Humpton,

The Maryland Transit Administration (MTA) attended and participated in the Crown Property Charrette held from September 22-25, 2005. Our attendance included the Kick-off Reception and the work session on Transportation/Transit. During the work session, MTA representatives had an opportunity to speak and offer our thoughts on the development and its potential impacts on the Corridor Cities Transitway (CCT). It is our understanding that the property is being considered for annexation into the City and that, as a condition of annexation, the developer will enter into an agreement defining numerous conditions for the site. Following annexation, any proposed development would require review and approval by the City that would ensure the conditions are met. MTA would like to formally restate our position on the Crown Farm development currently being reviewed by the City of Gaithersburg.

The Draft Environmental Impact Statement (DEIS) indicates that minor changes to the CCT are possible in this section of the alignment. However, the current alignment was developed through the federal DEIS process that included public, regulatory agencies, and local jurisdiction review, input, and coordination. The Federal Transit Administration and Federal Highway Administration approved the document and alignment after it was determined the concerns could be appropriately addressed. Any changes that are to be considered at this point must receive the same scrutiny as the original alignment and design. This includes impacts on environmental features, historic properties, travel time, ridership, safety, and construction and operating costs.

To minimize travel time and maximize safety, the CCT should have a minimum number of street crossings. If street crossings are to be considered, pre-emption of signalized intersections and warning lights with gates for other streets may be required to maintain safety and transit travel speed. An exhibit/graphic presented at the charrette proposed the transitway running in the median of a road. This concept is not recommended. It would require several awkward vehicle lane crossings and a transit station located in the median that would likely be a greater safety issue. Any changes to the CCT design should comparatively evaluate the impacts (as listed above) to determine its acceptance over the DEIS alignment.

The DEIS currently shows two transit stations on the property: Washingtonian and Crown Farm. As planned, Washingtonian would be built in the initial phase of the project and Crown Farm would be built at some time in the future beyond 2025. Representatives for the City and developer have expressed an interest in combining these into a single station along Fields Road near the proposed extension of Decoverly Drive. This proposal should be evaluated under the same conditions and measures as the previous work. The current station location received public review and comment to identify and address community concerns. The new station location should be presented to the public to gain its acceptance. Design elements such as access to existing and proposed residential and commercial buildings, as well as logical connections to other areas, must also be considered in the evaluation of the station. In addition, traffic and pedestrian safety analyses should be performed to help determine the acceptability of this new location.

In the DEIS, it was stated that approximately 250 parking spaces would be needed at the Washingtonian Station. The parking at this station must be included in any site layout. These spaces should be built by the property developer at his cost and could be incorporated into a parking lot at an adjacent commercial center. However, they must be dedicated for exclusive use by transit patron, convenient to the station, and free of charge.

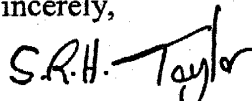
Lastly, stormwater management (SWM) must be considered for the transitway. Detailed SWM plans have not been developed at this time. The site grading proposed by the developer will dictate the direction of stormwater runoff and, therefore, the best locations for SWM facilities. However, based on a initial analysis, we believe that SWM facilities will be needed at the following locations:

- the inside corner of Omega Drive and Fields Road,
- adjacent to the proposed Washingtonian station parking lot, and
- near the west edge of the property along Decoverly Drive.

MTA would like to work with the developer to design a SWM plan that meets the needs of both the CCT and surrounding community.

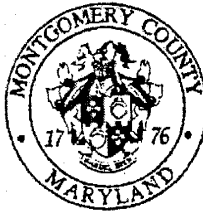
Thank you for conducting an open comment process regarding the possible development at the Crown Farm. Any proposed development on the site needs to consider the factors described above. We request that the concerns regarding the CCT be addressed in the annexation agreement, along with those regarding the site in general. We are available to meet to further discuss and resolve these concerns. To schedule a meeting or if you have any questions, please contact me at 410-767-3787 or Ms. MaryAnne Polkiewicz, MTA's Project Manager, at 410-767-3426.

Sincerely,



Simon Taylor, Director
Office of Planning

cc: Mr. Ernie Baisden, Manager, Project Development Division, Maryland Transit Administration
Ms. MaryAnne Polkiewicz, Project Manager, Maryland Transit Administration
Mr. Tom Autrey, Maryland-National Capital Park and Planning Commission
Ms. Sue Edwards, Maryland-National Capital Park and Planning Commission



HISTORIC PRESERVATION COMMISSION

Douglas M. Duncan
County Executive

Julia O'Malley
Chairperson

March 16, 2006

Derick Berlage, Chairman
Montgomery County Planning Board
8787 Georgia Avenue
Silver Spring, Maryland 20910

RE: England-Crown Farm, 9800 Fields Road, MP Site #20/17

Dear Mr. Berlage,

The Historic Preservation Commission (HPC) has reviewed the City of Gaithersburg petition to annex property that includes the England-Crown Farm, a historic site designated on the Montgomery County *Master Plan for Historic Preservation*. This item is scheduled for Planning Board consideration on Thursday, March 16, 2006.

The England-Crown Farm is an important historic site that represents a century of farming in central Montgomery County. While located within the county, the property is protected by the county's historic preservation law and by the HPC; however, if annexed, the historic site will be solely under the jurisdiction of the City of Gaithersburg.

The HPC would like to see measures put into place prior to annexation that will clearly provide for preservation of the England-Crown Farm in the face of the proposed development. At a minimum, the agreement between the City of Gaithersburg and the developer should include provisions to have the property designated as historic under the City of Gaithersburg's preservation law and should specify some of the parameters necessary for adequate protection of the historic site.

For example, the historic site includes two residential structures and a cluster of farm buildings. The history of the site is reflected in the farm buildings and not just in the residential buildings. Buildings that have been identified in the county designation documents as significant include an early timberframe barn, corn crib, hay barn, and dairy barn. In all, there are some 15-20 structures on the property. Not all of these structures are historically significant nor require preservation, but a number of the farm buildings should be retained and reused.



As the development plans move forward, the City of Gaithersburg historic preservation staff, Historic Preservation Advisory Commission, and Historic Preservation Commission should receive and carefully review information about the historic buildings on the site before making decisions about which buildings are retained and which are not. This information should be provided by the development team and should include an inventory of existing buildings, including physical description, date of construction, historic significance, and ranking of historic or architectural significance.

The Gaithersburg staff report states that the development plan should include preservation and an indicated use for the historic residential structures. Although this is good, it does not go far enough and is not comparable with the standards that would be used if the historic property was developed under the county's historic preservation law. It is imperative to provide for preservation and identify new uses for the significant farm buildings as well.

The current environmental setting for the England-Crown Farm is 75.8 acres. A reduced setting should identify and allow adequate protection of significant landscape features including mature trees within and adjacent to the complex of historic buildings, and provide enough land to convey its historic context.

It is very important that the annexation agreement give the England-Crown Farm historic site the same level of zoning and planning protection as it has today under the county historic preservation law, consequently we believe the following conditions should be included within any annexation agreement:

- The environmental setting should be established by Gaithersburg's HPC that protects significant outbuildings, natural features, sufficient acreage, and vistas.
- Unless the applicant's historic consultant can demonstrate that it is infeasible to retain them, we believe that a minimum the following structures should be retained in their current locations within the environmental setting:
 - Period One (Early 1800s): Log House, Early Barn
 - Period Two (Late 1800s): Frame House, Smoke House, Corn Crib, Hay Barn
 - Period Three (Early 1900s): Dairy Barn, Milk House
- The developer shall identify and have approved by the Gaithersburg HPC appropriate uses for the proposed structures so their continued preservation shall be assured.
- The developer shall retain consultants and have the rehabilitation plan reviewed through the Gaithersburg HPC process, so permits can be issued and work started with the first phase of construction. No occupancy permits for any new development shall be approved, until all rehabilitation work is complete.

We are available to meet and review our recommendations at your convenience.

Sincerely,



Jef Fuller
Vice-Chair



Historic Preservation Commission

cc Mayor & Council City of Gaithersburg
Crown Farm Village LLC